

REMARKS

Claims 1 - 14 are pending in the present application. Reconsideration of the application is respectfully requested.

In the Office Action, claims 1 – 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over and article by Kwon et al. (hereinafter “the Kwon et al. article”) in view of U.S. Patent No. 5,696,907 to Tom (hereinafter “the Tom patent”). The application contains two independent claims, namely claims 1 and 9. Applicant is clarifying an aspect of claims 1 and 9 that is neither disclosed nor suggested by either of the Kwon et al. article or the Tom patent.

Claim 1 provides for a system that includes a component that produces a score based on results of an evaluation, wherein the score is indicative of a likelihood that a business under inquiry may be involved in questionable activity. The system also includes a component that uses the score in a determination of credit-worthiness of the business under inquiry. The specification describes the use of the score in a determination of credit-worthiness, for example, at page 10, line 18 – page 11, line 4.

The Kwon et al. article describes a methodology for predicting targets of the Securities and Exchange Commission’s (SEC’s) investigation of fraudulent financial reporting (Abstract). The methodology uses seven indicators or “red flags”, including four financial red flags and three turnover red flags (Section II, Red Flags...). The financial red flags include profitability, sensitivity, difficulty to audit, and going concern ratios, and the non-financial red flags include CEO turnover, CFO turnover, and auditor turnover (Section II, Red Flags...). A neural network architecture is used to classify companies into two groups, namely (1) those companies that are likely to be targeted by an SEC investigation, and (2) those companies that are not likely to be targeted (Section III, Methodology). The Kwon et al. article does not appear to disclose or suggest that a score produced by the neural network can be used in a determination of a credit-worthiness of a business.

The Tom patent is directed toward a system for performing risk and credit analysis of financial service applications with a neural network (Abstract). However, the Tom patent does not appear to disclose or suggest that score that is indicative of a likelihood that a business may be involved in questionable activity can be used in a determination of a credit-worthiness of the business.

Whereas, the Kwon et al. article does not appear to disclose or suggest that a score produced by the neural network can be used in a determination of a credit-worthiness of a business, and whereas the Tom patent does not appear to disclose or suggest that score that is indicative of a likelihood that a business may be involved in questionable activity can be used in a determination of a credit-worthiness of the business, Applicant submits that neither of the Kwon et al. article nor the Tom patent disclose or suggest a component that **uses a score (that is indicative of a likelihood that a business may be involved in questionable activity) in a determination of credit-worthiness** of the business under inquiry, as recited in claim 1. Accordingly, Applicant further submits that claim 1 is patentable over the cited combination of the Kwon et al. article and the Tom patent.

Claims 2 – 8 depend from claim 1. By virtue of this dependence, claims 2 – 8 are also patentable over the cited combination of the Kwon et al. article and the Tom patent.

Claim 9 includes a recital similar to that of claim 1, described above. Thus, claim 9, for reasoning similar to that provided in support of claim 1, is patentable over the cited combination of the Kwon et al. article and the Tom patent.

Claims 10 – 14 depend from claim 9. By virtue of this dependence, claims 10 - 14 are also patentable over the cited combination of the Kwon et al. article and the Tom patent.

Applicant respectfully requests reconsideration and withdrawal of the section 103(a) rejection of claims 1 – 14.

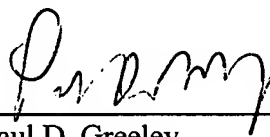
As mentioned above, Applicant is clarifying an aspect of claims 1 and 9 that is neither disclosed nor suggested by either of the Kwon et al. article or the Tom patent. Applicant is also amending all of the claims for one or more of (a) correcting an indefinite recital, (b) ensuring an antecedent basis for terms, (c) improving form, (d) improving grammar, (e) avoiding recitals of "means for", or (e) deleting recitals that do not appear to be necessary for patentability. None of the amendments is intended to narrow the scope of any term of any claim. Therefore, the doctrine of equivalents should be available for all of the terms of all of the claims.

In view of the foregoing, Applicant respectfully submits that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicant respectfully requests favorable consideration and that this application be passed to allowance.

Respectfully submitted,

Date

10/26/07



Paul D. Greeley
Reg. No. 31,019
Attorney for the Applicant
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel: 203-327-4500
Fax: 203-327-6401